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**AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, N.A.; AMENDING FISCAL YEAR 2018/2019 BUDGET ORDINANCE 2018-06; AMENDING AND INCREASING THE PROFESSIONAL SERVICES BUDGET; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, in September 2018, the Village Commission adopted Ordinance No. 2018-06, adopting a budget for the 2018-2019 fiscal year (“FY 2019”);

**WHEREAS**, the FY 2019 adopted budget for professional services was \$140,750;

**WHEREAS**, a portion of the professional services budget was allocated for a line item of \$75,000 for legal services;

**WHEREAS**, previously unanticipated legal issues have arisen during this fiscal year which necessitate an increase to the Village's professional services budget for FY 2019;

**WHEREAS**, Section 2-77 of the Village Code authorizes the Village Manager to make intradepartmental adjustments to the allocated professional services budget;

**WHEREAS**, the Village Manager anticipates intradepartmental adjustments to the allocated professional services budget will be insufficient to satisfy all professional service operational expenses in FY 2019;

**WHEREAS**, the Village Manager has notified the Village Commission of the need for a budget amendment to increase the professional services appropriation in FY 2019 pursuant to Section 4.07 of the Village Charter;

**WHEREAS**, the Village Manager has recommended the Village Commission take remedial action by increasing the professional services budget for FY 2019 from \$140,750 to \$155,750, to allow an increase to the line item budget for legal services from \$75,000 to \$90,000;

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COMMISSION OF  
THE VILLAGE OF BISCAYNE PARK, FLORIDA:**

**Section 1.** The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

1        **Section 2.**     The FY 2019 annual budget adopted via Ordinance No. 2018-06 is hereby  
2 amended to increase the FY 2019 professional services budget from \$140,750 to \$155,750 to  
3 allow an increase to the line item within the professional services budget for legal services from  
4 \$75,000 to \$90,000.

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6        **Section 3.**     That all Ordinances or parts of Ordinances, Resolutions or parts thereof in  
7 conflict herewith, be and the same are repealed to the extent of such conflict.

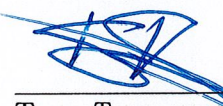
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9        **Section 4.**     The provisions of this Ordinance are declared to be severable and if any  
10 section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or  
11 unconstitutional, such decision shall not affect the validity of the remaining sections, sentences,  
12 clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative  
13 intent that this Ordinance shall stand notwithstanding the invalidity of any part.

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15        **Section 5.**     This Ordinance shall be effective upon adoption on second reading.  
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17 The foregoing Ordinance was offered by Mayor Truppman, who moved for its adoption. The  
18 motion was seconded by Commissioner Johnson-Sardella and upon being put to a vote, the vote  
19 was as follows:


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21	Mayor Truppman:	Yes
22	Vice Mayor Samaria:	No
23	Commissioner Johnson-Sardella:	Yes
24	Commissioner Tudor:	Yes
25	Commissioner Wise:	Absent
26		
27		

28 PASSED AND ADOPTED upon first reading this 9<sup>th</sup> day of July, 2019.

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30 PASSED AND ADOPTED upon second reading this 6<sup>th</sup> day of August, 2019.

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34 Tracy Truppman, Mayor

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36 Attest:

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39 \_\_\_\_\_  
40 Roseann Prado, Village Clerk

41  
42  
43 Approved as to form:

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45 \_\_\_\_\_  
46 Rebecca A. Rodriguez, Village Attorney  
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